

REMARKS

Reconsideration and allowance of the above-identified Application in view of the above amendments and the following Remarks are respectfully requested.

Claims 1-27 are pending in the Application, claims 22-27 having been added herein.

Applicant notes with appreciation the Examiner's indication that claim 15 has been allowed. Applicant further notes with appreciation the Examiner's indication that claims 2-7 would be allowable if rewritten in independent form including all the limitations of the base claim and the intervening claims. The Examiner further indicated that claims 9-12 and 16-21 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph. Applicant has thus rewritten claims 2 and 3 in independent form to include all the limitations of base claim 1. Applicant has also made minor revisions to the language of base claim 1 as incorporated into claims 2 and 3 to clarify the intended meaning and not to narrow the scope in any way. Applicant respectfully submits that the claims 2-7 remain allowable and are now in condition for allowance.

The Examiner rejected claims 8-12 and 16-21 under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, the Examiner indicated that the "elements" recited in claim 8 lacked antecedent basis as it depended from claim 1. Applicant has corrected this clerical error so that claim 8 now depends from claim 3. Therefore, Applicant respectfully submits that claims 8-12 and 16-21 are now in condition for allowance.

The Examiner rejected claims 1, 8, 13 and 14 under 35 U.S.C. § 102(b) as being anticipated by Sunda et al. (U.S. Patent No. 4,970,586). The rejection of claim 8 is now moot since claim 8 has been amended to depend from allowable claim 3, as was the original intention, to provide it with proper antecedent basis. Applicant respectfully traverses the remainder of this rejection for at least the following reasons.

Applicant amended claim 1 to clarify the intended meaning and not to narrow it and not to overcome the Sunda et al. reference. Claim 1, as originally presented, is directed to a masking aperture for an illumination system to provide controlled illumination of a photomask. The masking aperture has a translucent substrate and a half-tone dithered pattern on the substrate. The half-tone dithered pattern comprises an array of pixels arranged in accordance

with features on the photomask to be illuminated. None of the references of record, whether considered individually or combined teaches or suggest such a masking aperture.

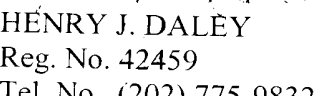
In contrast, the Sunda et al (U.S. Pat. No. 4,970,586) reference cited by the examiner discloses generating mask originals f1, f2, etc. on polyester film F (col. 3, line 4 through col. 4 line 62). Light emitted from light source 17 irradiates paper 21 through the mask originals. In addition, wavelength-selective filter 19 interposed between the light source 17 and mask originals (f1, f2, etc.) transmits only light having a peak wavelength of a certain value. There is thus no masking aperture for an illumination system to provide controlled illumination of a photomask disclosed in Sunda et al., let alone a masking aperture having the recited features. The wavelength-selective filter 19 is not a masking aperture and the mask originals on film F are not masking apertures for controlling illumination of a photomask. The mask originals are in fact themselves photomasks which are illuminated by light source 17. There is no disclosure or suggestion in Sunda et al. of using a masking aperture of any type between the light source and the masks f1, f2, etc. Therefore, Applicant respectfully submits that claim 1, and claims 13 and 14 dependent therefrom, are in condition for allowance and requests that the rejection under 35 U.S.C. § 102(b) be withdrawn.

Applicant's representative encourages the examiner to contact him at the telephone number below should there be any issues remaining that may be resolved by a telephone or personal interview.

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Client/Matter: 081468-0284420

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,  
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